

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

RUSSELL TERRY WILLIAMS

PETITIONER

v.

Civil No. 08-05020-JLH

BENTON COUNTY JAIL

RESPONDENT

REPORT AND RECOMMENDATION OF THE MAGISTRATE JUDGE

Before the undersigned for report and recommendation is the petitioner's Habeas Corpus petition (Doc. 1) filed January 24, 2008 by Russell Terry Williams, an inmate of the Benton County Detention Center. He proceeds *pro se* and *in forma pauperis*.

The Petitioner failed to file his Petition on a court-approved form and failed to file a IFP form. The court did enter an Order (Doc. 2) on January 18, 2008 directing the clerk to mail the appropriate forms to the petitioner and ordering the petitioner to complete and return the forms to the court on or before February 8, 2008.

To date, the plaintiff has failed to respond to the court's order. Petitioner has not communicated with the court in anyway. The court's order was not returned to the court as undeliverable.

I recommend that the Petition be dismissed on the grounds he has failed to comply with the order of the court. *See* Fed. R. Civ. P. 41(b). **The parties have ten days from receipt of the report and recommendation in which to file written objections pursuant to 28 U.S.C. § 636(b)(1). The failure to file timely objections may result in waiver of the right to appeal**

questions of fact. The parties are reminded that objections must be both timely and specific to trigger de novo review by the district court.

DATED this 25th day of February 2008.

/s/ *J. Marschewski*
HON. JAMES R. MARSCHEWSKI
UNITED STATES MAGISTRATE JUDGE